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REMARKS

The December 14, 2005 Office Action was based on pending Claims 1–51. By this Response, Applicant is amending Claims 1, 3, 12, 16, 21, 23, 32, 33 and 42 and is cancelling Claims 11, 15, 22, 34, 35 and 45 without prejudice or disclaimer. Claims 2, 4–10, 13, 14, 17–20, 24–31, 36–41, 43, 44 and 46–51 remain as originally filed, and new Claims 52 and 53 have been added.

Thus, after entry of the foregoing amendments, Claims 1–10, 12–14, 16–21, 23–33, 36–44 and 46–53 are pending and presented for further consideration. In view of the foregoing amendments, the attached Terminal Disclaimer and the remarks set forth below, Applicant submits that Claims 1–10, 12–14, 16–21, 23–33, 36–44 and 46–53 are in condition for allowance.

SUMMARY OF OBJECTIONS AND REJECTIONS

The December 14, 2005 Office Action objected to Claims 2, 3, 11, 16, 22, 23, 29, 32, 35, 40, 45, 50 and 51 as being dependent upon a rejected base claim.

The Office Action rejected Claims 3, 23, 33, 35 and 45 under 35 U.S.C. § 112, second paragraph, as being indefinite.

The Office Action also rejected Claims 21 and 42 under 35 U.S.C. § 102(b) as being unpatentable over U.S. Patent No. 5,222,225 to Groves (“Groves”).

Claims 1, 8 and 28 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Groves in view of U.S. Patent No. 5,900,012 to Tran (“Tran”). Claims 4–6, 9, 12, 14, 15, 17, 19, 25, 26, 30, 33, 34, 36, 37, 41, 44, 46 and 47 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Groves in view of Tran and in further view of U.S. Patent No. 4,920,483 to Pogue et al. (“Pogue”).

Claims 7, 10, 18, 20, 27, 31, 38, 39, 48 and 49 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Groves in view of Tran, in further view of Pogue, and in further view of U.S. Patent No. 5,404,473 to Papworth et al. (“Papworth”).

The Office Action also provisionally rejected Claims 1, 4, 9, 10, 12, 13, 15, 20, 21, 24, 30, 31, 33, 34, 41–43, 46 and 49 under the non-statutory obviousness-type double patenting doctrine as being unpatentable over Claims 1, 4–7, 10, 11, 14–16, 21,

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24, 26, 28, 29, 34, 36, 38–40, 45, 49, 50 and 52 of copending U.S. Patent Application No. 10/733,896 ("the '896 application").

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Submitted concurrently herewith is a Supplemental Information Disclosure Statement citing nine (9) references, some of which were cited during the prosecution of co-pending related U.S. patent applications. While Applicant does not believe that these references will affect the patentability of the pending claims, Applicant respectfully requests the Examiner to consider the pending claims in connection with these references in order to make them of record.

ALLOWABLE SUBJECT MATTER

Applicant thanks the Examiner for the indication of allowable subject matter in several of the pending claims. In particular, the Office Action objected to Claims 2, 11, 16, 22, 29, 32, 40, 50 and 51 as being dependent upon a rejected base claim but indicated that such claims would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. The Office Action also indicated that Claims 3, 23, 35 and 45 would be allowable if rewritten to overcome the 35 U.S.C. § 112 rejection and to include all the limitations of the corresponding base claims and any intervening claims.

In view of the foregoing, Applicant has added new Claims 52 and 53, which include the limitations similar to those of original Claims 2 and 3. In addition, Claim 53 has been rewritten to overcome the 35 U.S.C. § 112 rejection of original Claim 3. Dependent Claim 32 has also been rewritten in independent form to include all the limitations of original independent Claim 21.

Furthermore, as discussed in more detail below, limitations similar to those recited in several of the above-identified dependent claims (i.e., Claims 11, 22, 35, 45) have been incorporated into the corresponding base (independent) claims. Dependent Claims 2, 3, 16, 23, 29, 40, 50 and 51 generally remain as originally filed or have been amended to overcome 35 U.S.C. § 112 rejections. Applicant, therefore, respectfully

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submits that the amended independent claims and their related dependent claims are in condition for allowance.

CLAIM REJECTIONS FOR OBVIOUSNESS-TYPE DOUBLE PATENTING

The Office Action provisionally rejected Claims 1, 4, 9, 10, 12, 13, 15, 20, 21, 24, 30, 31, 33, 34, 41–43, 46 and 49 under the non-statutory double patenting doctrine as being unpatentable over Claims 1, 4–7, 10, 11, 14–16, 21, 24, 26, 28, 29, 34, 36, 38–40, 45, 49, 50 and 52 of the '896 application. In response to the Office Action, Applicant submits herewith a Terminal Disclaimer in compliance with 37 C.F.R. §1.321(c). Therefore, Applicant respectfully requests that the obviousness-type double patenting rejection be withdrawn.

CLAIM REJECTIONS UNDER 35 U.S.C. § 112, SECOND PARAGRAPH

The Office Action rejected Claims 3, 23, 33, 35 and 45 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. As discussed in more detail herein, Applicant notes that original dependent Claims 35 and 45 have been incorporated, respectively, into amended independent Claims 33 and 42.

Claims 3, 23, 33 and 42

Claims 3 and 23 were rejected as being unclear as to if the recited “capacity” is “referring to full storage capacity, minimum capacity under certain conditions, or the ability to drive a certain number of signal lines connected to the register or means for storing data.” By the foregoing amendments, Applicant has revised the “capacity” in Claims 3 and 23 to read “full storage capacity.” Applicant has also similarly revised Claims 33 and 42. Applicant, therefore, respectfully requests that the rejection of Claims 3 and 23 under 35 U.S.C. § 112 be withdrawn.

Claim 33

Claim 33 was also rejected as being unclear for containing the phrase “entire cache line.” In particular, the Office Action indicated that it was unclear “if the recited ‘entire cache line’ is a cache line in the data memory in the claim, or is from another source not cited in the claim.” Applicant has amended Claim 33 to clarify that the

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"entire cache line" is a cache line from the recited data memory. Applicant, therefore, respectfully requests that the rejection of Claim 33 under 35 U.S.C. § 112 be withdrawn.

CLAIM REJECTIONS UNDER 35 U.S.C. § 102(b)

The Office Action rejected Claims 21 and 42 as being unpatentable over Groves. In view of the foregoing amendments and for at least the reasons set forth below, Applicant respectfully disagrees and requests reconsideration of Claims 21 and 42.

Independent Claim 21

Independent Claim 21 has been amended to include the subject matter of cancelled dependent Claim 22, which was found by the Examiner to contain allowable subject matter. Applicant, therefore, respectfully submits that Groves does not disclose the method recited in amended Claim 21. Applicant respectfully requests the rejection of Claim 21 to be withdrawn and submits that amended Claim 21 is in condition for allowance.

Independent Claim 42

Independent Claim 42 has been amended to include the subject matter of cancelled dependent Claim 45, which was found by the Examiner to contain allowable subject matter. Applicant, therefore, respectfully submits that Groves does not disclose the processor recited in amended Claim 42. Applicant respectfully requests the rejection of Claim 42 to be withdrawn and submits that amended Claim 42 is in condition for allowance.

CLAIM REJECTIONS UNDER 35 U.S.C. § 103(a)

The Office Action rejected Claims 1, 8 and 28 as being unpatentable over Groves in view of Tran. Claims 4–6, 9, 12, 14, 17, 19, 25, 26, 30, 33, 36, 37, 41, 44, 46 and 47 were rejected as being unpatentable over Groves in view of Tran and in further view of Pogue. Claims 7, 10, 18, 20, 27, 31, 38, 39, 48 and 49 were also rejected as being unpatentable over Groves in view of Tran, in further view of Pogue, and in further view of Papworth.

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In view of the foregoing amendments and for at least the reasons set forth below, Applicant respectfully disagrees and requests reconsideration of the aforementioned claims.

Independent Claim 1

Independent Claim 1 has been amended to include the subject matter of cancelled dependent Claim 11, which was found by the Examiner to contain allowable subject matter. Applicant, therefore, respectfully submits that neither Groves nor Tran, nor a combination thereof, teaches or suggests the method recited in amended Claim 1. Applicant respectfully requests the rejection of Claim 1 to be withdrawn and submits that amended Claim 1 is in condition for allowance.

Independent Claim 12

Independent Claim 12 has been amended to include the subject matter similar to that of original dependent Claim 16, which included the limitations of cancelled dependent Claim 15 and was found by the Examiner to contain allowable subject matter. Applicant, therefore, respectfully submits that neither Groves, nor Tran, nor Pogue, nor a combination thereof, teaches or suggests the cache memory recited in amended Claim 12. Applicant respectfully requests the rejection of Claim 12 to be withdrawn and submits that amended Claim 12 is in condition for allowance.

Independent Claim 33

Independent Claim 33 has been amended to include the subject matter of cancelled dependent Claim 35, which included the limitations of cancelled dependent Claim 34 and was found by the Examiner to contain allowable subject matter. Applicant, therefore, respectfully submits that neither Groves, nor Tran, nor Pogue, nor a combination thereof, teaches or suggests the cache memory recited in amended Claim 33. Applicant respectfully requests the rejection of Claim 33 to be withdrawn and submits that amended Claim 33 is in condition for allowance.

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Dependent Claims

Claims 4–10 depend from independent Claim 1 and are believed to be patentably distinguished over the cited references for the reasons set forth above with respect to Claim 1 and for the additional features recited therein.

Claims 14 and 17–20 depend from independent Claim 12 and are believed to be patentably distinguished over the cited references for the reasons set forth above with respect to Claim 12 and for the additional features recited therein.

Claims 25–28, 30 and 31 depend from independent Claim 21 and are believed to be patentably distinguished over the cited references for the reasons set forth above with respect to Claim 21 and for the additional features recited therein.

Claims 36–39 and 41 depend from independent Claim 33 and are believed to be patentably distinguished over the cited references for the reasons set forth above with respect to Claim 33 and for the additional features recited therein.

Claims 44 and 46–49 depend from independent Claim 42 and are believed to be patentably distinguished over the cited references for the reasons set forth above with respect to Claim 42 and for the additional features recited therein.

REQUEST FOR TELEPHONE INTERVIEW

Pursuant to M.P.E.P. § 713.01, in order to expedite prosecution of this application, Applicant's undersigned attorney of record hereby formally requests a telephone interview with the Examiner as soon as the Examiner has considered the effect of the arguments presented above. Applicant's attorney can be reached at the general office number listed below.

CONCLUSION

In view of the foregoing, the present application is believed to be in condition for allowance, and such allowance is respectfully requested. If further issues remain to be resolved, the Examiner is cordially invited to contact the undersigned such that any remaining issues may be promptly resolved.

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Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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